

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FARUQ ROSE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 1:23-cv-00582-ADA-CDB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS FOR
LACK OF SUBJECT-MATTER
JURISDICTION

(ECF No. 7)

Plaintiff Faruq Rose (“Plaintiff”) is a federal prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971). This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 21, 2023, the Magistrate Judge issued findings and recommendations to dismiss this case for lack of subject-matter jurisdiction. (ECF No. 7.) The Court advised: “**Within fourteen (14) days** after being served with these Findings and Recommendations, the parties may file written objections with the Court.” (*Id.* at 8 (emphasis in original).) Plaintiff has not filed objections, and the time to do so has passed.

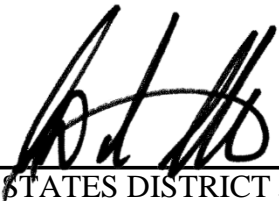
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. After carefully reviewing the entire file, the Court finds the findings and recommendations to be supported by the record and proper analysis.

1 Accordingly,

- 2 1. The findings and recommendations issued on April 21, 2023, (ECF No. 7), are
3 ADOPTED in full;
4 2. The order to pay the filing fee or submit an application to proceed *in forma*
5 *pauperis*, (ECF No. 6), is VACATED;
6 3. This action is DISMISSED for lack of subject-matter jurisdiction; and
7 4. The Clerk of Court is directed to close this case.
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11 IT IS SO ORDERED.

12 Dated: June 30, 2023

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UNITED STATES DISTRICT JUDGE